

Amendments to the Drawings:

Figure 1 has been corrected to include the reamer 100, flexible shaft 200 and the drill 300.

REMARKS

Claims 11 through 29 are pending in this application. Claims 1-10 have been cancelled without prejudice or disclaimer.

The Office Action objects to the drawings asserting that a cutter removably connectable to the guide rod and to the drive shaft and being movable along the length of the guide rod and rotatable with respect to the guide rod when removably connected to the guide rod is not shown. Figure 1 has been amended to schematically represent these features of the pending claims. Support for the amendment is found in the specification at least at paragraph [0005] as follows:

Once the fracture is reduced, reaming is the next step. Intramedullary canal reaming is performed to prepare a long bone for hip arthroplasty or fracture fixation devices. The irregular shape and changing cross section of the bone must be made uniform to fit the implant devices. **The usual technique is to attach a cylindrical reamer to a flexible shaft and use a power drill to cut away bone from the inside out.** Several passes are required to open the canal up in many cases, as each cut takes off only one half to one millimeter of bone. **A guide rod acts as a path for the reamers to follow and a means to retrieve broken reamer components.** Guide rods typically have enlarged ends to prevent reamers from going over the end and becoming dissociated deep within the bone where retrieval is very difficult. (emphasis added).

The specification has been amended to reflect the reference numerals for the reamer 100, the flexible shaft 200 and the drill 300. No new matter has been entered.

The Office Action further objects to the drawings asserting that at least one hole through the guide rod in communication with the channel is not shown. Figure 2 clearly shows a plurality of holes 40 in the guide rod enlarged end that are in communication with hollow cavity 80 of the guide rod:

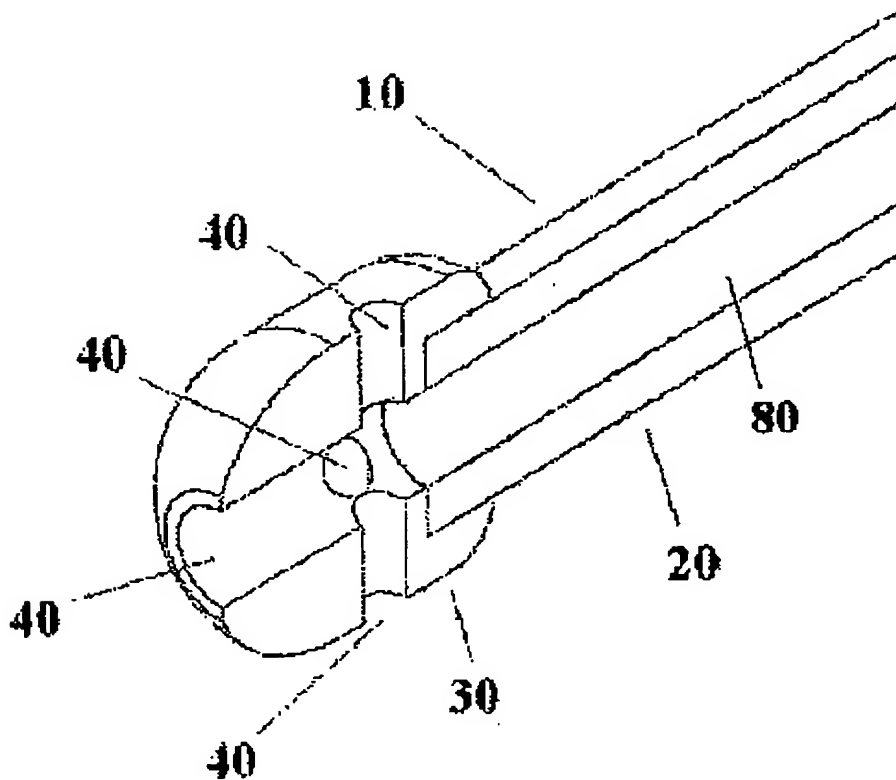


Figure 2, Guide rod with multiple port ball end-cross section close up

The Office Action provisionally rejects claims 11-12, 14, 18 and 19 under the judicially created doctrine of obviousness-type double patenting over claim 13 of U.S. Patent Application Serial No. 10/369,737. Applicants respectfully acknowledge the assertion of the provisional rejection and will take the appropriate course of action upon allowance of claimed subject

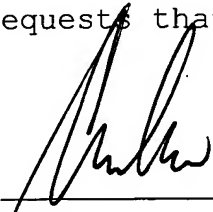
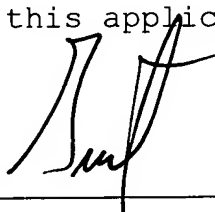
matter in the present application or in the co-pending application.

The Office Action rejects claims 11-29 asserting that there is a failure of the written description requirement. Claims 11 through 29 and the corresponding figures include features that are described within the specification. In particular, the specification at paragraph [0005] describes the technique of attaching a cylindrical reamer to a flexible shaft and using a power drill to cut away bone from the inside out, as well as using the guide rod as a path for the reamer to follow.

In view of the foregoing, applicant respectfully submits that all claims present in this application patentably distinguish over the cited art. Additionally, applicant submits that if any clarification of the above remarks are requested, applicant, by and through his attorney, is available for a telephonic interview.

Accordingly, applicant respectfully requests favorable reconsideration and withdrawal of the rejections of the claims. Also, applicant respectfully requests that this application be passed to allowance.

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